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1350 Broadway, Suite 1510

Jack Schwartz & Associates  
New York, New York

10018

## TELEFAX TRANSMITTAL

July 6, 2004

To: Group Art Unit: 3736  
From: Jack SchwartzFax No.: (703) 872-9306  
Fax No.: (212) 971-0417Re: Power of Attorney for US Patent Application Serial No.: 09/805,970CONFIDENTIALITY STATEMENT

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Power of Attorney has not yet been changed in Palm. Please accept the attached documents which were previously filed on August 21, 2003 and not recorded. The Power of Attorney needs to be recorded for the Customer Number Upload.

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TO THE U.S. PATENT & TRADEMARK OFFICE  
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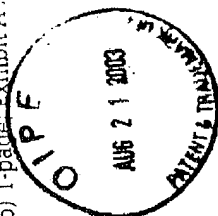
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title of document: Revocation and Substitution of Attorney  
Declaration pursuant to 37 CFR 37.73(b) 1-page; Exhibit A;  
ages; Exhibit B 3-pages

Serial No. 091805,970

Paper Dated: August 21, 2003

Attorney: Alexander J. Burke/ceb



2174  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of  
Amy M. Manetta

Application No. 09/805,970

Filed: March 14, 2001

For: A System and Method for Processing  
Ventilator Information

Group Art Unit: 3736  
Examiner:

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OFFICIAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REVOCATION AND  
SUBSTITUTION OF ATTORNEYS

Sir:

In the matter of the above-identified application, the assignee of record revokes all powers of attorney heretofore given and hereby appoints Jack J. Schwartz, as attorney with full power of substitution and revocation and association, to prosecute said applications and to transact all business in the United States Patent and Trademark Office connected therewith and to receive Certificates of Registration.

Please direct all future correspondence to Jack J. Schwartz & Associates, 1350 Broadway, Suite 1507, New York, New York 10018-7702, Tel: (212) 971-9017, Fax: (212) 279-0670.

Enclosed is a "Statement under 37 CFR 3.73(b)."

Date: 14 August 2003

By Ellen Roth  
Ellen Roth, Esq.

1  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration pursuant to 37 CFR 3.73(b)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The purpose of this declaration is to record that Ellen Roth, Esq. Assistant Company Secretary and officer of Siemens Medicals Solutions USA, Inc. is authorized to act, transfer and assign patents on behalf of Siemens Medicals Solutions USA, Inc. and is also authorized to act, transfer and assign patents on behalf of predecessor companies to Siemens Medicals Solutions USA, Inc. as the successor to such predecessor companies. Specifically, Ellen Roth, Esq. is authorized to act, transfer and assign patents on behalf of:

**Siemens Medical Solutions USA, Inc.**, a Delaware corporation, having a place of business at 51 Valley Stream Parkway, Malvern, Pennsylvania 19355;

**Siemens Medical Systems, Inc.**, a Delaware corporation, having a place of business at 186 Wood Avenue South, Iselin, New Jersey 08830;

**Siemens Medical Electronics, Inc.**, a Delaware corporation, having a place of business at 16 Electronics Avenue, Danvers, Massachusetts 01923.

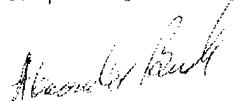
Chain of Title.

As evidence of Ellen Roth's authority,

Exhibit A establishes that **Siemens Medical Systems, Inc.**, changed its name to **Siemens Medical Solutions USA, Inc.**, on August 1, 2001.

Exhibit B establishes that **Siemens Medical Electronics, Inc.**, merged with and into **Siemens Medical Systems, Inc.**, on March 31, 1993.

Respectfully submitted;



Alexander J. Burke  
Reg. No. 40,425

19 August 2003

Alexander J. Burke  
Intellectual Property Department  
Siemens Corporation,  
170 Wood Avenue South  
Iselin, N.J. 08830  
Tel. 732-321-3023 -- Fax 732-321-3030

*State of Delaware*  
*Office of the Secretary of State*

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EXHIBIT A

PAGE 1

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "SIEMENS MEDICAL SYSTEMS, INC.", CHANGING ITS NAME FROM "SIEMENS MEDICAL SYSTEMS, INC." TO "SIEMENS MEDICAL SOLUTIONS USA, INC.", FILED IN THIS OFFICE ON THE FIRST DAY OF AUGUST, A.D. 2001, AT 12 O'CLOCK P.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF AMENDMENT IS THE FIRST DAY OF OCTOBER, A.D. 2001.



0941229 8100

010383716

*Harriet Smith Windsor*  
Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 1282312

DATE: 08-07-01

STATE OF DELAWARE  
SECRETARY OF STATE 02/02  
DIVISION OF CORPORATIONS  
FILED 12:00 PM 08/01/2001  
010374695 - 0941229

**CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION  
OF  
SIEMENS MEDICAL SYSTEMS, INC.**

**Pursuant to Section 242  
of the Delaware General Corporation Law**

The undersigned, Thomas McCausland, being the President & CEO of Siemens Medical Systems, Inc., a corporation organized and existing under the laws of the State of Delaware (the "Corporation"), **DOES HEREBY CERTIFY:**

**FIRST:** That Article **FIRST** of the Certificate of Incorporation be, and hereby is, amended to read in its entirety as follows:

**"FIRST.** Name. The name of the corporation is Siemens Medical Solutions USA, Inc.

**— SECOND:** That the aforesaid amendment was duly adopted in accordance with the provisions of Section 242 of the General Corporation Law of the State of Delaware with an effective date of October 1, 2001.

**IN WITNESS WHEREOF,** the undersigned has affixed his signature as President of this Corporation this 31<sup>st</sup> day of July, 2001.

  
Thomas McCausland  
President & CEO

EXHIBIT B  
PAGE 1

*State of Delaware*  
*Office of the Secretary of State*

I, WILLIAM T. QUILLEN, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF MERGER OF "SIEMENS MEDICAL ELECTRONICS, INC." MERGING WITH AND INTO "SIEMENS MEDICAL SYSTEMS, INC." UNDER THE NAME OF "SIEMENS MEDICAL SYSTEMS, INC." AS RECEIVED AND FILED IN THIS OFFICE THE THIRTY-FIRST DAY OF MARCH, A.D. 1993, AT 10:01 O'CLOCK A.M.

A CERTIFIED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO NEW CASTLE COUNTY RECORDER OF DEEDS FOR RECORDING.

\* \* \* \* \*



*William T. Quillen*

William T. Quillen, Secretary of State

AUTHENTICATION:

\*4046841

723251074

DATE:

09/08/1993



STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 10:01 AM 03/31/1993  
723090041 - 941229

**CERTIFICATE OF MERGER  
OF  
SIEMENS MEDICAL ELECTRONICS, INC.  
INTO  
SIEMENS MEDICAL SYSTEMS, INC.**

Pursuant to Section 251 of the Delaware General Corporation Law

The undersigned corporation

DOES HEREBY CERTIFY:

**FIRST:** That the names and states of incorporation of each of the constituent corporations of the merger are as follows:

<u>Name</u>	<u>State of Incorporation</u>
Siemens Medical Electronics, Inc.	Delaware
Siemens Medical Systems, Inc.	Delaware

**SECOND:** That an Agreement and Plan of Merger between the parties to the merger has been approved, adopted, certified executed and acknowledged by each of the constituent corporations in accordance with the requirements of Section 251 of the General Corporation Law of the State of Delaware.

**THIRD:** That the name of the surviving corporation of the merger is Siemens Medical Systems, Inc.

**FOURTH:** That the Certificate of Incorporation of Siemens Medical Systems, Inc., a Delaware corporation which is surviving the merger, shall be the Certificate of Incorporation of the surviving corporation.

-2-

FIFTH: That the executed Agreement and Plan of Merger is on file at the principal place of business of the surviving corporation, the address of which is c/o Siemens Corporation, 1301 Avenue of the Americas, New York, New York.

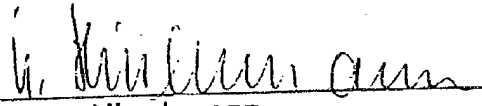
SIXTH: That a copy of the Agreement and Plan of Merger will be furnished on request and without cost, to any stockholder of any constituent corporation.

SEVENTH: That this Certificate of Merger shall be effective on March 31, 1993.

Dated: March 29, 1993

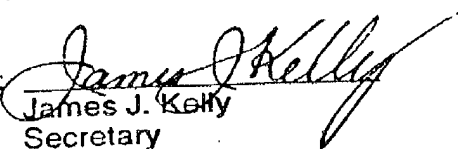
SIEMENS MEDICAL SYSTEMS, INC.

By:

  
Helmut Hirschmann  
Executive Vice President

ATTEST:

By:

  
James J. Kelly  
Secretary